



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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January 5, 2006

IN REPLY PLEASE

REFER TO FILE: **B-2**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**FINDING AND ORDERS OF THE
BUILDING REHABILITATION APPEALS BOARD
SUPERVISORIAL DISTRICT 4
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the finding and orders of the Building Rehabilitation Appeals Board which provide for abatement of public nuisances at the following location:

10322 Parise Drive, Whittier

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Title 26 of the Los Angeles County Code, the Building Code, provides for abatement of public nuisances through rehabilitation procedures contained in Chapter 99. The Building Code also provides for a Building Rehabilitation Appeals Board, appointed by your Board, for the purpose of hearing appeals on matters concerning public nuisances.

Government Code Section 25845 requires that the property owner be provided an opportunity to appear before the Board and be heard prior to abatement of the nuisance(s) by the County. However, your Board adopted modified procedures which delegated the required hearing to the Building Rehabilitation Appeals Board with the requirement that the Building Rehabilitation Appeals Board make a written recommendation to your Board.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goals of Service Excellence and Children and Families' Well-Being as it provides services to the public that have a wide-reaching positive effect on the entire community. The action will provide for the arrest and abatement of neighborhood deterioration and the elimination of unsightly, unsafe, and unhealthful conditions which constitute a public nuisance. It will require a substandard structure be rebuilt to Code or demolished and the removal of overgrown vegetation from private property.

FISCAL IMPACT/FINANCING

There will be no negative fiscal impact or increase in net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Building Rehabilitation Appeals Board has conducted the required hearing for the property listed below. The Building Rehabilitation Appeals Board considered all competent evidence and testimony offered by all persons pertaining to the matters of substandard property. The Building Rehabilitation Appeals Board made a finding of facts in the matter and declared the following property to be a public nuisance.

Your Board may either adopt the finding and orders of the Building Rehabilitation Appeals Board without further notice of hearing or may set the matter for a de novo hearing before your Board.

ADDRESS: 10322 Parise Drive, Whittier

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: (a) That the property be cleared of all excessive vegetation by February 22, 2006, and maintained cleared thereafter. (b) That the structure(s) be maintained closed to prevent unauthorized entry. (c) That the structure(s) be rebuilt to Code or demolished by February 22, 2006. Demolition includes the removal of all foundations, slabs, walks, driveways, debris, and the proper abandonment of any sewer or sewage disposal system.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. The building is dilapidated, open, and accessible to juveniles and transients and is a health, fire, and safety hazard to the adjacent community. The building or structure must be secured or closed forthwith so as to prevent unauthorized persons from gaining access thereto.*
3. Portions of the wood members are damaged and have decayed.
4. Portions of the exterior wall and wall covering are deteriorating and damaged.
5. Doors and windows are broken and lacking constituting hazardous conditions and inviting trespassers.
6. The building lacks adequate weather protection against the elements and to exclude dampness. Unpainted building causing dry rot, warping, and termite infestation.
7. The roof covering appears deteriorated and damaged.
8. The roof sags and supports are inadequate.
9. Portions of the floor and flooring are damaged.
10. Portions of the interior wall and wall covering are damaged.
11. Portions of the ceiling joists and covering are damaged and inadequate to support the ceiling and roof loads.
12. The required heating appliance is damaged, inoperable, and hazardous.
13. The electrical service is noncomplying and damaged.
14. Portions of the electrical wiring are hazardous and noncomplying.

15. Fixtures and receptacle outlets, light switches, and junction boxes are noncomplying, damaged, and hazardous.
16. The building lacks hot and cold running water to the required plumbing fixtures.
17. The water heater is noncomplying.
18. Gas and waste piping are uncapped.
19. The building's lavatory, water closet, bath facility, kitchen sink, and laundry tray or standpipe are noncomplying, damaged, and insanitary.
20. Portions of the waste, vent, gas, and water piping are noncomplying, damaged, and insanitary.
21. Overgrown vegetation, dead trees, and weeds constituting an unsightly appearance or a danger to public safety and welfare.

***The following option was given to the owner**

"If, in your opinion, the building or structure is sufficiently secured or closed, or for any other reason you cannot comply with Item Number 2 on this 'List of Defects,' you may request a hearing within ten days of receipt of this notice. If the required work is not performed within ten days after service of this notice and if a timely demand for a hearing is not made, the County may perform the work at the expense of the said owner."

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

The Building Rehabilitation Appeals Board confirmed the County Building Official's finding that the listed property is substandard because it is injurious to health, offensive to the senses, and obstructs the free use of neighboring property so as to interfere with the comfortable enjoyment of life and property.

The Honorable Board of Supervisors
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At such time as this recommendation is adopted, please return an adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

ICP:pc
P:REHAB/BOARDLET/FO4

cc: Chief Administrative Office
County Counsel